



Attorney Docket TM 03752/LH

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): T. NISHIKOBARA, ET AL

Serial No. : 10/736,811

Filed : December 15, 2003

For : MEASURING APPARATUS AND
MEASURING METHOD FOR PATTERN
DEPENDENT JITTER

Art Unit : 2857

Customer No.: 01933

Examiner :

SUBMISSION OF SIGNED DECLARATION

Commissioner for Patents
Alexandria, VA 22313-1450

Att: MS - MISSING PARTS

S I R :

Responsive to the Patent Office Notice mailed March 25, 2004 (copy enclosed), the term for response to which expires on May 25, 2004, submitted herewith is a Declaration executed by the inventors and attached to a complete set of application papers.

A check for \$130.00 is enclosed to cover the Patent Office surcharge fee for late filing of the signed Declaration.

It is respectfully requested that prosecution on the merits now proceed.

Respectfully submitted,


Leonard Holtz, Esq.
Reg. No. 22,974

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CERTIFICATE OF MAILING

I hereby certify this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date noted below.


Sharon Portnoy

Dated: March 30, 2004

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 06-1378.

DECLARATION FOR PATENT APPLICATION

03S1704-1

As a below named inventor, I declare:
 that I verily believe myself to be the original, first and sole (if only one individual inventor is listed below) or an original, first and joint inventor (if more than one individual inventor is listed below) of the invention in

APR 01 2004

MEASURING APPARATUS AND MEASURING METHOD FOR PATTERN DEPENDENT JITTER

the specification of which is attached hereto unless the following box is checked.

was filed on _____ as United States Application
 or PCT International Application No. _____, and
 was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 35 U.S.C. 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

<u>Country</u>	<u>Category</u>	<u>Application No.</u>	<u>Filing Date</u>	<u>Priority Claim</u>
Japan	Patent	2002-365138	December 17, 2002	Yes

I hereby appoint the registrants of Frishauf, Holtz, Goodman & Chick, P.C., 767 Third Avenue - 25th Floor, New York, N.Y. 10017-2023, Customer No. 01933, or any one of them. Send correspondence to Frishauf, Holtz, Goodman & Chick, P.C., 767 Third Avenue - 25th Floor, New York, N.Y. 10017-2023, Telephone No. (212) 319-4900.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DECLARATION FOR PATENT APPLICATION

03S1704-1

I declare further that my citizenship, residence and mailing address are as stated below next to my name: